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# PHILIP MORRIS

INCORPORATED

## Law Department—Patent Section

RESEARCH CENTER: P.O. BOX 26583, RICHMOND, VIRGINIA 23261 TELEPHONE (804) 271-2000

11 August 1978

George A. Depaoli, Esq.  
Depaoli & O'Brien  
Suite 1005 Crystal Mall 1  
1911 Jefferson Davis Highway  
Arlington VA 22202

RE: 2-Alkyl Nicotinoids/PM 764/D&O-77-8

Dear George:

Attached is a copy of the proposed amendment accompanying your letter of July 31 with a few comments from the inventors. On page 2, Dr. Seeman suggested another formula that would include the compounds of amended Claims 7, 9, and 10. Since the pyrrolidine nitrogen is unsubstituted, it shouldn't read on 2-methylnicotine. Please use your judgment as to whether to incorporate this as a separate claim. Dr. Sanders, on page 3, has added a comment and corrected the formula. Beilstein discloses the reaction of N-methyl-nicoton with phosphor-pentachloride to yield the 2-chloronicotine.

The inventors are not sure that a showing of the toxicity ranges on page 5 is advisable especially since the routes of administration differ. If this can be deleted without too much trouble, perhaps it would be best. I tried to find data showing identical routes of administration in The Registry of Toxic Effects of Chemical Substances but was not successful.

Dr. Seeman made a comment on page 6 regarding their July 14 letter to you. There are several other notations on page 9.

To summarize, the inventors are quite satisfied with the amendment; and with the few minor changes suggested, it should be ready to file. I will be away August 21-25; if you need to discuss this during that time, please call Dr. Sanders at (804) 271-5865 or Art at 271-2822.

Thank you again for your assistance in prosecuting this difficult case.

Sincerely,

Susan A. Hutcheson

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Attachment  
cc: T. Osden  
W. Johnson, Jr.

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T. OSBENE  
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